

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MOBILE TELECOMMUNICATIONS
TECHNOLOGIES, LLC,

Plaintiff,

V.

ZTE (USA) INC.,

Defendant.

Case No. 2:13-cv-946-JRG-RSP

LEAD CASE

MOBILE TELECOMMUNICATIONS
TECHNOLOGIES, LLC,

Plaintiff,

V.

HTC AMERICA, INC.,

Defendant.

Case No. 2:13-cv-948-JRG-RSP

JURY TRIAL REQUESTED

P. R. 4-3 JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to P.R. 4-3, Plaintiff Mobile Telecommunications Technologies, LLC (“MTel” or “Plaintiff”) and Defendant HTC America, Inc. (“HTCA” or “Defendant”) respectfully submit this Joint Claim Construction and Prehearing Statement.

I. Agreed Claim Constructions

Exhibit A identifies the constructions of those claim terms, phrases, or clauses on which the parties agree. Consistent with this Court's prior orders, the claim terms are separated by patent and terms drafted pursuant to 35 U.S.C. § 112(f) are presented under the patent in which they appear.

II. Disputed Claim Constructions

Exhibit B identifies the disputed claim terms and each party's proposed constructions.

Exhibit C identifies MTel's proposed constructions for each disputed claim term and known intrinsic and extrinsic evidence on which MTel intends to rely, including a summary of the expert testimony of Dr. Jay Kesan, upon which MTel will rely in support of its constructions and to rebut the testimony of HTCA's expert that any claim terms are invalid as indefinite.

Exhibit D identifies HTCA's proposed claim constructions and known intrinsic and extrinsic evidence on which HTCA intends to rely.

Exhibit E provides a summary of the expert testimony of Dr. William Beckmann, upon which HTCA will rely in support of its position that specified claim terms are invalid as indefinite.

Exhibit F is a copy of the expert report of Dr. William Beckmann in the matter of *Mobile Telecommunications Technologies, LLC v. Amazon.com, Inc.*, 2:13-CV-883-JRG-RSP, which is referenced by, and incorporated in, HTCA's summary of the expected testimony of Dr. Beckmann.

III. The Claim Construction Hearing

The Parties anticipate needing approximately 5 hours for the Claim Construction Hearing.

IV. Witnesses at the Claim Construction Hearing

The Parties do not anticipate calling witnesses at the Claim Construction Hearing. Should the Parties choose to depose the opposing party's expert witness regarding claim construction, the Parties reserve the right to play testimony from those depositions.

V. The Prehearing Conference

At this time, the Parties are not aware of any issues that need to be taken up at the prehearing conference.

Dated: November 23, 2015

Respectfully submitted,

/s/ Dustin L. Taylor

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CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2015, the foregoing was filed through the CM/ECF system of the U.S. District Court, Eastern District of Texas, which served a copy by electronic mail on all counsel deemed to have consented to electronic service.

/s/ Dustin L. Taylor

Dustin L. Taylor